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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**THE STATE OF CALIFORNIA; THE
STATE OF CONNECTICUT; THE STATE
OF DELAWARE; THE DISTRICT OF
COLUMBIA; THE STATE OF HAWAII;
THE STATE OF ILLINOIS; THE STATE
OF MARYLAND; THE STATE OF
MINNESOTA, BY AND THROUGH ITS
DEPARTMENT OF HUMAN SERVICES; THE
STATE OF NEW YORK; THE STATE OF
NORTH CAROLINA; THE STATE OF
RHODE ISLAND; THE STATE OF
VERMONT; THE COMMONWEALTH OF
VIRGINIA; THE STATE OF
WASHINGTON,**

Plaintiffs,

THE STATE OF OREGON,

Plaintiff-Intervenor,

**THE STATE OF COLORADO; THE
STATE OF MICHIGAN; THE STATE OF
NEVADA,**

Proposed-Plaintiffs-Intervenors,

v.

**ALEX M. AZAR, II, IN HIS OFFICIAL
CAPACITY AS SECRETARY OF THE U.S.
DEPARTMENT OF HEALTH & HUMAN
SERVICES; U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES; R.
ALEXANDER ACOSTA, IN HIS OFFICIAL
CAPACITY AS SECRETARY OF THE U.S.
DEPARTMENT OF LABOR; U.S.**

4:17-cv-05783-HSG

JOINT STATUS REPORT

Dept: 2, 4th Floor
Judge: Hon. Haywood S. Gilliam, Jr.
Action Filed: October 6, 2017

**DEPARTMENT OF LABOR; STEVEN
MNUCHIN, IN HIS OFFICIAL CAPACITY AS
SECRETARY OF THE U.S. DEPARTMENT OF
THE TREASURY; U.S. DEPARTMENT OF
THE TREASURY; DOES 1-100,**

Defendants,

and,

**THE LITTLE SISTERS OF THE POOR,
JEANNE JUGAN RESIDENCE; MARCH
FOR LIFE EDUCATION AND DEFENSE
FUND,**

Defendant-Intervenors.

The parties respectfully submit the following Joint Status Report pursuant to this Court’s July 9, 2020 order. Dkt No. 416. On July 8, 2020, the Supreme Court issued its decision in *Little Sisters of the Poor v. Pennsylvania* and *Trump v. Pennsylvania*, 2020 WL 3808424, Case Nos. 19-431, 19-454 (S. Ct. July 8, 2020). The Court held that 42 U.S.C. § 300gg–13(a)(4) of the Patient Protection and Affordable Care Act (ACA) “gives HRSA broad discretion to define preventive care and screenings and to create the religious and moral exemptions.” *Id.* at *9. On July 9, 2020, the Supreme Court granted the petitions for certiorari in this case, vacated the judgment, and remanded the case to the United States Court of Appeals for the Ninth Circuit for further proceedings.¹ *HHS v. California*, 2020 WL 3865243 (July 9, 2020); *Little Sisters of the Poor v. California*, 2020 WL 3865245 (July 9, 2020); *March for Life v. California*, 2020 WL 3865244 (July 9, 2020). In light of these developments, the parties believe that supplemental briefing addressing the import of the Supreme Court’s decision and its impact on Plaintiffs’ claims and the pending dispositive motions is appropriate.

Once the Ninth Circuit has remanded the matter to this Court, the parties will promptly meet and confer and propose a supplemental briefing schedule within five business days.

¹ See https://www.supremecourt.gov/orders/courtorders/070920zor_i425.pdf.

1 Dated: July 17, 2020

Respectfully submitted,

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